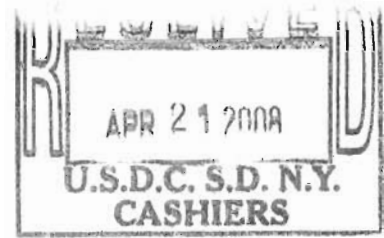


08 CV 3749

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
UNITED STATES OF AMERICA,  
:  
- v -  
:  
\$25,095.00 in UNITED STATES  
CURRENCY,  
:  
Defendant-in-rem.  
-----X

VERIFIED COMPLAINT  
08 Civ.

Plaintiff United States of America, by its attorney,  
Michael J. Garcia, United States Attorney for the Southern  
District of New York, for its complaint alleges as follows:

I. JURISDICTION AND VENUE

1. This action is brought pursuant to 21 U.S.C. § 881  
by the United States of America seeking the forfeiture of  
\$25,095.00 in United States currency (the "defendant-in-rem  
currency");

2. This Court has jurisdiction pursuant to 28 U.S.C.  
§§ 1345 and 1355. Venue is proper under 28 U.S.C. § 1355(a)  
because the actions giving rise to forfeiture took place in the  
Southern District of New York and the defendant-in-rem currency was  
found and seized in the Southern District of New York.

3. The defendant-in-rem currency is presently in the

custody of the United States Marshals Service ("USMS") Seized Asset Deposit Fund Account held at the Federal Reserve Bank.

II. PROBABLE CAUSE FOR FORFEITURE

4. On or about August 16, 2007, New York City Police Department ("NYPD") responded to a shooting near 281 East 153<sup>rd</sup> Street, Apartment 5C, Bronx, New York (the "Apartment"), and arrested Jason Horsford ("Horsford") in connection with the shooting.

5. Horsford made verbal statements to the officers, during which he stated in substance that "he had big guns like nines and tecs!"

6. On or about August 17, 2007, the NYPD executed a search warrant for the Apartment.

7. Before entering the Apartment, Adella Florius made verbal statements to Emergency Service Officers, during which she stated in substance that "that's my apartment, my son just got shot and you are harassing me!"

8. Upon entering the Apartment, officers discovered the presence of Alfred Horsford and Darelis Arias.

9. Upon searching on of the bedrooms in the Apartment, officers observed four large bags of cocaine, fifty-one small yellow bags containing cocaine, one silver .32 caliber revolver with 5 rounds and \$25,095.00 in United States currency.

9. Horsford is currently unemployed and has a prior

narcotic arrest history.

10. On or about January 22, 2008, the Drug Enforcement Administration received a Seized Asset Claim form from Adella Florius, claiming that he is the owner of the defendant-in-rem currency.

### III. CLAIM FOR FORFEITURE

11. Incorporated herein are the allegations contained in paragraphs one through ten of the Verified Complaint.

12. Pursuant to 21 U.S.C. § 881(a)(6), all moneys furnished or intended to be furnished in exchange for a controlled substance, all proceeds traceable to such exchanges, and all moneys used or intended to be used to facilitate such exchanges, in violation of Title 21 of the United States Code, are subject to seizure and forfeiture to the United States, and no property right exists in such proceeds.

13. The defendant-in-rem currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because there is probable cause to believe that it constitutes moneys intended to be furnished in exchange for a controlled substance, and/or proceeds traceable to such exchanges, and/or moneys used or intended to be used to facilitate such exchanges, in violation of Title 21 of the United States Code.

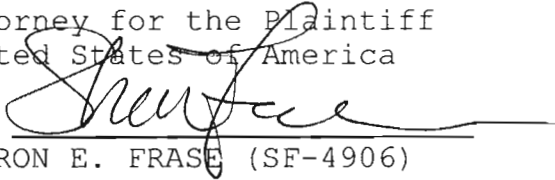
14. By reason of the above, the defendant-in-rem currency became, and is, subject to forfeiture to the United States

of America, pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the defendant-in-rem currency and that all persons having an interest in the defendant-in-rem currency be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the defendant-in-rem currency to the United States of America for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York  
April 21, 2008

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